

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE HUMBERTO BARILLAS,  
Petitioner,  
v.  
JAMES S. HILL,  
Respondent.

Case No. 22-cv-02957-WHO (PR)

**ORDER REOPENING ACTION;  
ORDER REINSTATING  
RESPONDENT'S MOTION;  
ORDER SETTING BRIEFING  
SCHEDULE**

Dkt. No. 17

This federal habeas action was dismissed because petitioner Barillas did not comply with my order to pay the filing fee by the deadline. (Order of Dismissal, Dkt. No. 15.) Since dismissal, Barillas has paid the filing fee and filed a motion to reopen. (Dkt. Nos. 17 and 18.) The motion to reopen is GRANTED. (Dkt. No. 17.) The action is REOPENED. The Clerk shall modify the docket to reflect this. The judgment and the order of dismissal are VACATED.

Prior to dismissal, respondent filed a motion to dismiss, which was denied without prejudice in the dismissal order. (Dkt. No. 15.) Respondent’s motion to dismiss is reinstated. (Dkt. No. 13.) Barillas’s opposition to the motion, if any, shall be filed on or before **April 17, 2023**. Respondent’s reply to the opposition shall be filed within 15 days after the opposition has been filed. The motion will be deemed submitted on the day the reply brief is due.

The Clerk shall terminate all pending motions.

## IT IS SO ORDERED.

**Dated:** March 7, 2023

  
WILLIAM H. ORRICK  
United States District Judge